

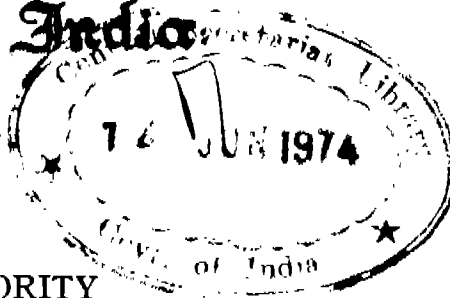
भारत का राजपत्र The Gazette of India

असाधारण
EXTRAORDINARY

भाग II—खण्ड 2
PART II—Section 2

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY



सं० 22]
No. 22]

नई दिल्ली, शुक्रवार, मई 3, 1974/वैशाख 13, 1896
NEW DELHI, FRIDAY, MAY 3, 1974/VAISAKHA 13, 1896

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed
as a separate compilation.

LOK SABHA

The following Bills were introduced in Lok Sabha on the 3rd May, 1974:—

BILL No. 52 OF 1974

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Thirty-fourth Amendment) Act, 1974. Short title.
2. In the Ninth Schedule to the Constitution, after entry 66 and before the *Explanation*, the following entries shall be inserted, namely:— Amendment of Ninth Schedule.
 - “67. The Andhra Pradesh Land Reforms (Ceiling on Agricultural Holdings) Act, 1973 (Andhra Pradesh Act 1 of 1973).
 68. The Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) (Amendment) Act, 1972 (Bihar Act I of 1973).
 69. The Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) (Amendment) Act, 1973 (Bihar Act IX of 1973).
 70. The Bihar Land Reforms (Amendment) Act, 1972 (Bihar Act V of 1972).
 71. The Gujarat Agricultural Lands Ceiling (Amendment) Act, 1972 (Gujarat Act 2 of 1974).

72. The Haryana Ceiling on Land Holdings Act, 1972 (Haryana Act 26 of 1972).

73. The Himachal Pradesh Ceiling on Land Holdings Act, 1972 (Himachal Pradesh Act 19 of 1973).

74. The Kerala Land Reforms (Amendment) Act, 1972 (Kerala Act 17 of 1972).

75. The Madhya Pradesh Ceiling on Agricultural Holdings (Amendment) Act, 1972 (Madhya Pradesh Act 12 of 1974).

76. The Madhya Pradesh Ceiling on Agricultural Holdings (Second Amendment) Act, 1972 (Madhya Pradesh Act 13 of 1974).

77. The Mysore Land Reforms (Amendment) Act, 1973 (Karnataka Act 1 of 1974).

78. The Punjab Land Reforms Act, 1972 (Punjab Act 10 of 1973).

79. The Rajasthan Imposition of Ceiling on Agricultural Holdings Act, 1973 (Rajasthan Act 11 of 1973).

80. The Gudalur Janmam Estates (Abolition and Conversion into Ryotwari) Act, 1969 (Tamil Nadu Act 24 of 1969).

81. The West Bengal Land Reforms (Amendment) Act, 1972 (West Bengal Act XII of 1972).

82. The West Bengal Estates Acquisition (Amendment) Act, 1964 (West Bengal Act XXII of 1964).

83. The West Bengal Estates Acquisition (Second Amendment) Act, 1973 (West Bengal Act XXXIII of 1973).".

STATEMENT OF OBJECTS AND REASONS

The Chief Ministers' Conference held on the 23rd July, 1972, had made important suggestions with regard to reduction in the level of ceiling on land holdings, application of ceiling on the basis of land held by a family and the withdrawing of exemptions. The suggestions of the Chief Ministers' Conference were accepted by the Government of India and necessary guidelines were issued to the State Governments for the revision of ceiling laws.

2. It is proposed to amend the Ninth Schedule to the Constitution to include therein the revised ceiling laws which have so far been enacted in broad conformity with the aforesaid guidelines so that they may have the protection under article 31B of the Constitution and any uncertainty or doubt that may arise in regard to the validity of those laws is removed. In addition, two Acts dealing with the abolition of intermediary tenures are also proposed to be included in the Ninth Schedule, namely, the Bihar Land Reforms (Amendment) Act, 1972 and the Gudalur Janmam Estates (Abolition and Conversion into Ryotwari) Act, 1969, so that they may also have the same protection.

3. The Bill seeks to achieve this object.

NEW DELHI;

FAKHRUDDIN ALI AHMED.

The 29th April, 1974.

BILL NO. 52 OF 1974

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:—

Short
title.

1. This Act may be called the Constitution (Thirty-fifth Amendment) Act, 1974.

Amend-
ment of
article
101.

2. In article 101 of the Constitution, in clause (3),—

(1) for sub-clause (b), the following sub-clause shall be substituted, namely:—

“(b) resigns his seat by writing under his hand addressed to the Chairman or the Speaker, as the case may be, and his resignation is accepted by the Chairman or the Speaker, as the case may be,”;

(2) the following proviso shall be inserted at the end, namely:—

“Provided that in the case of any resignation referred to in sub-clause (b), if from information received or otherwise and after making such inquiry as he thinks fit, the Chairman or the Speaker, as the case may be, is satisfied that such resignation is not voluntary or genuine, he shall not accept such resignation.”.

Amend-
ment of
article
190.

3. In article 190 of the Constitution, in clause (3),—

(1) for sub-clause (b), the following sub-clause shall be substituted, namely:—

“(b) resigns his seat by writing under his hand addressed to the Speaker or the Chairman, as the case may be, and his

resignation is accepted by the Chairman or the Speaker, as the case may be,";

(2) the following proviso shall be inserted at the end, namely:—

"Provided that in the case of any resignation referred to in sub-clause (b), if from information received or otherwise and after making such inquiry as he thinks fit, the Speaker or the Chairman, as the case may be, is satisfied that such resignation is not voluntary or genuine, he shall not accept such resignation."

STATEMENT OF OBJECTS AND REASONS

Articles 101(3)(b) and 190(3)(b) of the Constitution permit a member of either House of Parliament or a member of a House of the Legislature of a State to resign his seat by writing under his hand addressed to the Speaker or the Chairman, as the case may be. In the recent past, there have been instances where coercive measures have been resorted to for compelling members of a Legislative Assembly to resign their membership. If this is not checked, it might become difficult for Legislatures to function in accordance with the provisions of the Constitution. It is therefore proposed to amend the above two articles to impose a requirement as to acceptance of the resignation by the Speaker or the Chairman and to provide that the resignation shall not be accepted by the Speaker or the Chairman if he is satisfied after making such inquiry as he thinks fit that the resignation is not voluntary or genuine.

2. The Bill seeks to achieve the above object.

NEW DELHI;

H. R. GOKHALE.

The 2nd May, 1974.

S. L. SHAKDHER,
Secretary-General.